

County: Madison  
District: Robertson.

#3 - Nicholson, Newton.

Acreage Found: 3

Assessed 8 A.

AREA: 3 A.

Location: Hannah Run. Rappahannock and Madison County line cut a small corner off a cleared field, the rest being in Rappahannock county.

Incumbrances, counter claims or laps: None.

Soil: Loam of medium fertility and is rocky and steep.

Roads: Twenty four miles of rough mountain and dirt country road to Culpeper.

History of tract and condition of timber: Cleared cultivated land only.

Improvements: Are in Rappahannock County.

Value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Fc	3	\$10.00	\$30.00.

Summary:

Total value of land.           \$30.00  
Total value of tract.           \$30.00.

*L. W. Farmer Sec.*

County: Madison  
District: Robertson

#3 - Nicholson, Newton

Acreage Claimed: Claims 30 A. Assessed 8 A. Deed  
In Rappahannock Co.

Value Claimed: " \$100.00 "

Location: Hannah Run. Rappahannock and Madison county line cut  
AREA: 3 A.  
a small corner off a cleared field, the rest being in  
Rappahannock county.

Inconbrances, counter claims or laps: None.

Soil: Loam of medium fertility and is rocky and steep.

Roads: Twenty four miles of rough mountain and dirt country  
road to Culpeper.

History of tract and condition of timber: Cleared cultivated  
land only.

Improvements: Are in Rappahannock County.

Value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Fc	3	\$8.00	\$24.00

*P.P. \$10<sup>+</sup>*

Total value of land \$24.00  
Total value of tract 24.00  
Average value per acre 8.00

NOTE—This need not be filed until the record discloses that the awards have been paid into the custody of the Courts.

**Virginia: In the Circuit Court of Madison County at Madison, Virginia**

The State Commission on Conservation and Development of the State of Virginia . . PETITIONER.

V. At Law No. 82

D. F. Anderson and others, and Fifty-Five Thousand (55,000) Acres, more or less, of land in Madison County, Virginia . . . . . DEFENDANTS

Comes now the undersigned and shows to the Court:

That a judgment in rem has heretofore been entered in this proceeding condemning to the use of the Petitioner the fee simple estate in the tract(s) of land numbered as follows: Tract No. 3-----:

Tract No. -----: Tract No. -----;

and described in the report of the Board of Appraisal Commissioners appointed herein and shown, numbered, and delineated on the County Ownership Map filed therewith, upon payment into the custody of the Court of the sum(s) set out in the said judgment as constituting the award(s) therefor, as follows:

Award on Tract No. 3----- \$ 30.00-----; on Tract No. ----- \$-----; on Tract No. ----- \$-----;

That the report of the said Board sets forth that the following named persons claim, or appear to have a claim to an interest in the said tract(s) of land or in the proceeds arising from the condemnation thereof;

Newton Nicholson

That the Petitioner has paid into the custody of the Court the said sum(s) set out in said judgment as constituting the award(s) for the fee simple estate in the said tract(s) of land;

That your undersigned, on the date of the said judgment in rem condemning the said tract(s) of land, owned or was (were) entitled to the following interest in the said tract(s) or in the proceeds arising from the condemnation thereof:—

By reason of Contribution pledge, obligating the owner, Newton Nicholson, to give three acres of his land within the Park area to the Park Project.

(Donated five acres, only three acres inside Park Boundary).

That no other person or persons than the undersigned are entitled to share in the distribution of the said award(s) except the following named persons whose interest in said tract(s) or in the proceeds arising from the condemnation thereof on the date of entry of said judgment was as follows:

Wherefore, your undersigned pray(s) that [he (they) be made a party (parties) herein under the provisions of Section 21 of the Public Park Condemnation Act, and that] an order be entered for the distribution of said sum(s) set forth in said judgment in rem as constituting the award(s) for the fee simple estate in the said tract(s) condemned as aforesaid, and for the payment to the undersigned of the said award(s) or of as much thereof as the Court may find that the undersigned is (are) entitled to

receive, and which the undersigned aver(s) is as follows: Tract No. 3----- \$ 24.00-----: Tract No. ----- \$-----: Tract No. ----- \$-----;

The undersigned further aver(s) that: (Leave this space blank unless there is some other pertinent matter to be brought specially to the attention of the court)

NAME

P. O. ADDRESS

STATE COMMISSION ON CONSERVATION

& DEVELOPMENT

BY

*Robert Marshall*

NOTE—A supply of this blank form has been placed in the Clerk's office for the convenience of interested parties. No one is required to use this form, as the form is not prescribed by law, and claimants can either change or modify it as they deem necessary, or present their motions in any form they may desire which meets with the approval of the Court. This blank form may not and probably will not cover all cases. It has been printed merely as a suggestion of a form of a motion which may be used, subject to the approval of the court in each case.

*Filed 1/9/34*  
*John W. Cotton*

The State Commission on Conservation and Development of the State of Virginia  
At Law No. 23  
J. F. Anderson and others, and Fifty-Five Thousand (\$5,000) Acres more or less, of  
land in Madison County, Virginia  
Comes now the undersigned and shows to the Court:  
That a judgment in favor of the petitioner has been entered in the proceeding concerning to the use of the  
petitioner the fee simple estate in the tract(s) of land numbered as follows: Tract No. \_\_\_\_\_  
Tract No. \_\_\_\_\_  
Tract No. \_\_\_\_\_

and described in the report of the Board of Appraisers appointed herein and shows, that  
said land is situated in the County of \_\_\_\_\_ and State of Virginia, and that the  
Court of the county set out in the said judgment as a part of the land sought to be  
condemned is (are) as follows: Tract No. \_\_\_\_\_  
Award on Tract No. \_\_\_\_\_ & 50.00 \_\_\_\_\_ on Tract No. \_\_\_\_\_  
Tract No. \_\_\_\_\_

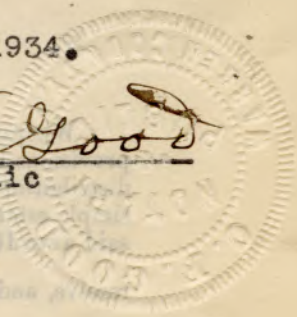
STATE OF VIRGINIA )  
COUNTY OF WARREN ) SS

Personally appeared before me the undersigned Notary  
Public in my said State and County, E. K. Stokes, who being  
duly sworn, deposed and said that she is an employee of the  
State Commission on Conservation and Development in immediate  
charge of the records of the Shenandoah National Park Division  
thereof having to do with claims of the Commission for dis-  
tributive shares of condemnation awards in the Shenandoah  
National Park condemnation proceedings pending in the Circuit  
Courts of Virginia, by reason of contracts and agreements en-  
tered into with the owners of lands sought to be condemned in  
these proceedings, and that the within claim is just and cor-  
rect.

Witness my signature this 8th day of January, 1934.

*Chas F. Good*

NOTARY PUBLIC Notary Public  
My Commission Expires Sep. 8, 1934



The undersigned further avers that: (Leave this space blank unless there is some other per-  
son matter to be brought specially to the attention of the court.)  
Tract No. \_\_\_\_\_  
and which the undersigned avers (s) is as follows: Tract No. \_\_\_\_\_  
Tract No. \_\_\_\_\_  
Tract No. \_\_\_\_\_

NAME \_\_\_\_\_  
STATE COMMISSION ON CONSERVATION  
& DEVELOPMENT  
BY \_\_\_\_\_

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parties. No one is required to use this form, as the form is not prescribed by law, and claimants can  
either change or modify it as they deem necessary, or present their own form in any form they may de-  
sire which meets with the approval of the Court. This blank form may not and probably will not cover  
all cases. It has been printed merely as a suggestion of a form of a motion which may be used, subject  
to the approval of the court in each case.

VIRGINIA. IN THE CIRCUIT COURT OF MADISON COUNTY.

The State Commission on Conservation &  
Development of the State of Virginia, Petitioner,

v.

D. F. Anderson, et als, defendants.

In Re: Distribution of proceeds of condemnation for Tract No. 3.

This day came the State Commission on Conservation & Development, by counsel, and moved the Court to enter an order directing the Treasurer of the State of Virginia, to pay to it, out of the proceeds of condemnation of Tract No.3, the sum of \$24.00, representing the amount of a certain pledge made by Newton Nicholson, who claimed to be the owner of said tract, to said State Commission on Conservation & Development, as a contribution for the establishment of Shenandoah National Park and in support of its said motion the said Commission exhibited to the Court, its motion in writing, setting forth all the facts in relation thereto, which has been heretofore filed herein.

Upon consideration whereof, it appearing to the Court, that the claim of said Commission is not based upon any lien, either on the land condemned, or on the proceeds of condemnation, and that said Commission has failed to obtain the consent of the parties entitled to the proceeds of condemnation, to the payment of its claim, it is accordingly adjudged and ordered that the motion of the Commission for the payment of said claim out of the proceeds of condemnation for said tract be and the same is hereby denied.

*Ende  
JHS*

*Handwritten initials or mark*

herely denied.

Of the proceeds of condemnation for said tract be and the same is the motion of the Commission for the payment of said claim and the payment of its claim, it is accordingly adjudged and ordered that the parties entitled to the proceeds of condemnation, and that said Commission has failed to obtain the consent of the parties entitled to the proceeds of condemnation, or on the proceeds of said condemnation, or on the proceeds of condemnation, that the claim of said Commission is not based upon any

LAW ORDER

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Upon consideration whereof, it appearing to the Court, that the claim of said Commission is not based upon any

rejection thereof, which has been heretofore filed herein. Court, its motion in writing, setting forth all the facts in support of its said motion the said Commission exhibited to the Court for the establishment of Shenandoah National Park and in said State Commission on Conservation & Development, as a contra-Newton Nicholson, who claimed to be the owner of said tract, to of \$24.00, representing the amount of a certain pledge made by it, out of the proceeds of condemnation of Tract No. 3, the sum or less directing the Treasurer of the State of Virginia, to pay to him a development, or consent, and moved the Court to enter an

This day came the State Commission on Conservation & Development of the State of Virginia, Petitioner, D. E. Anderson, et als, defendants. v.

The State Commission on Conservation & Development of the State of Virginia, Petitioner,

ALBANY, IN THE CIRCUIT COURT OF MADISON COUNTY.

In the Circuit Court of Madison County, Virginia:

The State Commission on Conservation  
and Development of the State of Virginia,

Petitioner

Vs

D. F. Anderson and others and 55,000 acres of  
land in Madison County, Virginia,

Defendants

On this, the 4th day of Nov., 1935, came Newton Nicholson and on his motion, leave is given him to file his application for the payment to him of the sum of \$30.00, the amount of the award set out in the judgment of condemnation for Tract No.3 and heretofore paid into Court. And it appearing from the report of the Board of Appraisal Commissioners heretofore filed in this cause and in the petition for judgment and condemnation entered herein on the \_\_\_\_ day of December, 1933, that in the opinion of petitioner the said Newton Nicholson is invested with a superior or better right or claim of title in and to the said Tract No. 3, and that the record of this cause does not disclose any denial or dispute by any party or person in interest as to the title to said Tract No. 3, or to the proceeds arising from the condemnation thereof, and is therefore entitled to receive the proceeds arising from the condemnation of Tract No.3, except as hereinafter provided. And it further appearing to the Court that all taxes due or payable upon said Tract No. 3 have been paid except for the year 1933; therefore it is considered by the Court that the said sum of \$30.00 paid into court as just compensation for said tract No. 3, be paid out and distributed as follows:

1 - To B. S. Utz, Treasurer, Madison, Va. taxes - - - -	\$ 1.84
2 - To A. H. Cave, clerk, Madison, Va. - - - - -	1.00
3 - To N. G. Payne, attorney, Madison, Va. - - - -	2.50
4 - To N. G. Payne, Attorney for Newton Nicholson -	24.66
	<hr/>
	\$30.00

And the clerk of this court is directed to transmit a certified copy of this order to the Treasurer of Virginia, who shall pay out said funds as above provided, the items set forth aggregating the award set out in the judgment of condemnation for Tract No. 3, taking from said parties to whom the said fund is payable as aforesaid, receipts therefor, and certifying said payment to the clerk of this court for appropriate entry thereof, as provided by law.

by thereof, as provided by law.

certifying said payment to the clerk of this court for appropriate en-  
to whom the said fund is payable as aforesaid, receipts therefor, and  
the judgment of condemnation for Tract No. 3, taking from said parties  
as above provided, the items set forth aggregating the award set out in  
of this order to the Treasurer of Virginia, who shall pay out said funds  
And the clerk of this court is directed to transmit a certified copy

4 - To N. E. Payne, Attorney for Newton Nicholson	24.00
3 - To N. E. Payne, Attorney, Madison, Va.	2.00
2 - To A. H. Cave, Clerk, Madison, Va.	1.00
1 - To B. S. Uff, Treasurer, Madison, Va. taxes	\$ 1.84
said tract No. 3, be paid out and distributed as follows:	

that the said sum of \$30.00 paid into court as just compensation for  
paid except for the year 1933; therefore it is commanded by the court  
the Court that all taxes due or payable upon said tract No. 3 have been  
Tract No. 3, except as hereinafter provided, and it further appearing to  
fore entitled to receive the proceeds arising from the condemnation of  
3, or to the proceeds arising from the condemnation thereof, and is there-  
fore by any party or person in interest as to the title to said Tract No.  
and that the record of this case does not disclose any denial or dis-  
say or deny right or claim of title in and to the said tract No. 3,  
of the title to the said Newton Nicholson is invested with a sup-  
decision entered herein on the \_\_\_\_\_ day of December, 1935, that in the  
before this court and in the petition for judgment and con-  
V. F. Anderson and others  
Vs (Order) for distribution of  
Award for Tract No. 3 -  
State Commission on Conservation and Development of  
the State of Virginia

Enter - *L.P.* Judge

LAW ORDER  
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On this, the 4th day of Nov. 1935, came Newton Nicholson and on  
land in Madison County, Virginia,  
D. F. Anderson and others and 25,000 acres of  
Defendants  
Va  
Petitioners

The State Commission on Conservation  
and Development of the State of Virginia,  
in the Circuit Court of Madison County, Virginia:



NOTE—This need not be filed until the record discloses that the awards have been paid into the custody of the Courts.

**Virginia: In the Circuit Court of Madison County at Madison, Virginia**

The State Commission on Conservation and Development of the State of Virginia . . . PETITIONER.

V. At Law No. 82

D. F. Anderson and others, and Fifty-Five Thousand (55,000) Acres, more or less, of land in Madison County, Virginia . . . . . DEFENDANTS

Comes now the undersigned and shows to the Court:

That a judgment in rem has heretofore been entered in this proceeding condemning to the use of the Petitioner the fee simple estate in the tract(s) of land numbered as follows: Tract No. 3 : Tract No. : Tract No. ;

and described in the report of the Board of Appraisal Commissioners appointed herein and shown, numbered, and delineated on the County Ownership Map filed therewith, upon payment into the custody of the Court of the sum(s) set out in the said judgment as constituting the award(s) therefor, as follows:

Award on Tract No. 3 \$ 30.00 ; on Tract No. : on Tract No. \$ : ;

That the report of the said Board sets forth that the following named persons claim, or appear to have a claim to an interest in the said tract(s) of land or in the proceeds arising from the condemnation thereof;

**Newton Nicholson (same as N. W. Nicholson)**

That the Petitioner has paid into the custody of the Court the said sum(s) set out in said judgment as constituting the award(s) for the fee simple estate in the said tract(s) of land;

That your undersigned, on the date of the said judgment in rem condemning the said tract(s) of land, owned or was (were) entitled to the following interest in the said tract(s) or in the proceeds arising from the condemnation thereof:—

**Your undersigned claims the entire fee simple interest in said tract No. 3 -**

That no other person or persons than the undersigned are entitled to share in the distribution of the said award(s) except the following named persons whose interest in said tract(s) or in the proceeds arising from the condemnation thereof on the date of entry of said judgment was as follows:

**None -**

Wherefore, your undersigned pray(s) that [he (they) be made a party (parties) herein under the provisions of Section 21 of the Public Park Condemnation Act, and that] an order be entered for the distribution of said sum(s) set forth in said judgment in rem as constituting the award(s) for the fee simple estate in the said tract(s) condemned as aforesaid, and for the payment to the undersigned of the said award(s) or of as much thereof as the Court may find that the undersigned is (are) entitled to receive, and which the undersigned aver(s) is as follows: Tract No. 3 \$ 30.00 : Tract No. : Tract No. \$ : ;

The undersigned further aver(s) that: (Leave this space blank unless there is some other pertinent matter to be brought specially to the attention of the court)

**There is a donation of \$24.00 claimed by the State Commission on Conservation and Development against Tract No. 3 -**

NAME	P. O. ADDRESS
<u>Newton Nicholson</u>	<u>Nethers, Va.</u>
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This is to certify that there are ..... 1933 taxes of record  
in my office to the amount of \$ 1.84 .. against the tract of land  
owned by N. W. Nicholson .....  
..... (8 acres) ..... which is  
designated as Tract No. .... ; Tract No. .... ; Tract No. ....  
on the County Ownership Map filed in my Office in the action  
at Law pending in the name and style of the Commission on  
Conservation &c., vs. W. D. Anderson, and others.

Given under my hand this 12<sup>th</sup> day of January ....., 1934 .

.....  
B. S. Utz

Treasurer, Madison County, Virginia

By *J. B. Fray* ..... Deputy  
Treasurer